

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants : Michael Wayne Graham and Robert Norman Rice

Serial No. : 10/759,841

Examiner : Whiteman, Brian A.

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Art Unit : 1635

For : SYNTHETIC GENES AND GENETIC CONSTRUCTS

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September 24, 2009

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Commissioner for Patents  
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Sir:

**AMENDMENT AS A SUBMISSION UNDER 37 C.F.R. § 1.114(c)**

**AND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Applicants submitted a July 22, 2009 Notice of Appeal and a July 22, 2009 Petition For A Three-Month Extension Of Time in response to the January 22, 2009 Final Office Action issued by the United States Patent and Trademark Office in connection with the above-identified application. The United States Patent and Trademark Office received the July 22, 2009 Notice of Appeal on July 24, 2009. Based on the date of receipt of the July 22, 2009 Notice of Appeal, an appeal brief or a Request for Continued Examination (RCE) is due September 24, 2009. Applicants are hereby submitting an Amendment under 37 C.F.R. § 1.114(c) accompanied by a Request for Continued Examination (RCE). The fee for a Request for Continued Examination (RCE) under 37 C.F.R. § 1.17(e) is eight hundred and ten dollars (\$810.00) and a check including this amount is enclosed. Accordingly, this Amendment is being timely filed.